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Appln. No. 10/071,963
Amendment dated January 25, 2005
Reply to Office Action of November 2, 2004

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The November 2, 2004 Office Action and the Examiner's comments have been carefully considered. In response, claims are amended and added and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

REJECTIONS UNDER 35 USC 112

In the Office Action, claims 1-16 (which should have read 1-6 and 11-16 since claims 7-10 were cancelled in the last Amendment) are rejected under the second paragraph of 35 USC 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner contends that the phrase "polyethylene terephthalate type resin" renders the claims indefinite because the claims included elements not actually disclosed, but merely encompassed by the word "type." Claims 14-16 are rejected because the Examiner contends that they are not clear as to structure.

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In response, claims 1, 6, and 11-13 are amended in a sincere effort to more clearly define the present invention in accordance with 35 USC 112 and specifically to disclose both the elements contained therein and their structure. The support for these claims can be found on page 8, lines 17-22, inter alia. Accordingly, no new matter has been added. Claims 14-16 are amended to make them clearer as to their structure. The support for these claims can be found on page 10, line 25 to page 11, line 17; page 12, lines 11-18; and figure 1 and 2, inter alia. Accordingly, no new matter has been added.

In view of the amendment of claims 1, 6, and 11-16, reconsideration and withdrawal of the rejection of the claims under the second paragraph of 35 USC 112 are respectfully requested.

PRIOR ART REJECTIONS

In the Office Action, Claims 1-6 and 11-13 are rejected under 35 USC 103(a) as being unpatentable over EP 0 875 374 A2 (Shimizu et al.) in view of USPN 5,656,359 (Hirota et al.).

In the Office Action, the Examiner asserts that Shimizu et al. teach a decorative laminated sheet including a substrate layer of an amorphous polyethylene terephthalate (APET) even though Shimizu et al. do not teach an ink layer (print pattern

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layer) comprising a binder of vinyl chloride/acetate copolymer as recited in Claim 1. The Examiner also asserts that Hirota et al. teach a print layer with an ink composition overlying a polyester base, which has an ink layer comprised of a binder of vinyl chloride/acetate copolymer, and that it would have been obvious to modify the sheet of Shimizu et al. to include the ink composition including a vinyl chloride/acetate copolymer for the purpose of imparting heat resistance and solubility as taught by Hirota et al.

In response, Applicants respectfully point out the following. First, Shimizu et al. neither teach nor suggest the objective of "imparting heat resistance and solubility". In other words, Shimizu et al. and Hirota et al. do not share the common objective concerning the vinyl chloride/acetate copolymers.

Second, neither Shimizu et al. nor Hirota et al. disclose the technical concept of bonding a substrate layer and another layer with the ink layer comprised of a vinyl chloride/acetate copolymer.

Shimizu et al. disclose a decorative laminated sheet including an APET resin layer and a substrate layer, and that the substrate layer can be printed (see page 4, line 9 of Shimizu et al.). However, Shimizu et al. do not disclose the material used

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for printing and that the layer obtained by printing possesses an adhesive property.

On the other hand, Hirota et al. disclose a decorative sheet, wherein a pattern, including a vessel pattern portion, printed layer having a grain pattern is formed on a substrate sheet, and a built-up printed portion is provided on the vessel pattern portion. This built-up printed portion provides gross to the decorative sheet, and a vinyl chloride/acetate copolymer can be used as the material of the built-up printed portion for the purpose of imparting heat resistance and solubility. However, the built-up printed portion is printed and then cured (see column 5, lines 20-22 of Hirota et al.), and the adhesion property is not disclosed and suggested. Thus, the built-up printed portion does not possess an adhesive property.

Third, Hirota et al. neither teach nor suggest the significant advantages of the present invention in that because of the adhesive property of the vinyl chloride/acetate copolymer, laminate strength in the base material layer and the transparent layer can be sufficiently obtained, and therefore, unfavorable phenomena, such as separation, do not occur.

Therefore, it would not have been obvious for a person of ordinary skill in the art at the time the present invention was made based upon the teachings of the cited references to arrive

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at the present claimed invention as defined by Claim 1 from the combination of the cited references.

Claims 2-6 and 11-12 are either directly or indirectly dependent on patentable Claim 1 and are patentable over the cited references in view of their dependence on claim 1 and because the references do not disclose, teach or suggest the limitations set forth in claims 2-6 and 11-12.

Claims 13-16 are patentable over the cited references for reasons, inter alia, set forth above in connection with claim 1.

NEW CLAIM

New claim 17 is added to the present application. Claim 17 is patentable over the cited references for reasons, inter alia, set forth above in connection with claim 1. Support for new claim 17 can be found at, inter alia, page 8, lines 17-22 of the present application. Therefore, no new matter is added.

CLAIM FEE

Submitted herewith is a Credit Card Authorization Form in the amount of \$200.00 for the addition of one (1) independent claim (Claim 17) above the highest number of independent claims for which payment was previously made. If any additional fees

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are due or if any overpayment has been made, please charge or credit our Deposit Account No. 06-1378 for such sum.

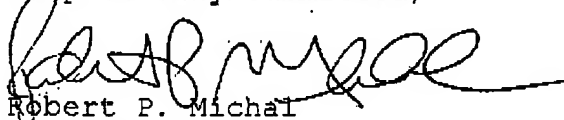
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If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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